

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TROY ALAN STILLS,

Plaintiff,

v.

ROBERT WELLS, et al.,

Defendants.

No. 4:20-CV-1256-SRW

OPINION, MEMORANDUM AND ORDER

This matter is before the Court upon self-represented plaintiff Troy Alan Stills’ “Motion to Request Dismissal and Preserve the Right to Reopen,” which the Court will construe as a motion for voluntary dismissal without prejudice pursuant to Rule 41(a). Plaintiff asks this Court to “dismiss the above numbered cause in whichever manner will allow for re-opening in the future,” and he states he would like to bring his claims at a later time. The Court construes plaintiff’s motion as a motion for voluntary dismissal filed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, and will order the dismissal of this case, without prejudice. This dismissal will not count as a “strike” under 28 U.S.C. § 1915(g).


Accordingly,

IT IS HEREBY ORDERED that plaintiff’s “Motion to Request Dismissal and Preserve the Right to Reopen,” which the Court will construe as a motion for voluntary dismissal filed pursuant to Rule 41(a) is **GRANTED**. [ECF No. 19]

IT IS FURTHER ORDERED that this case is **DISMISSED**, without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 14th day of May, 2021.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE